

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

STANTON Q. SHELTON,

Petitioner,

vs.

GERARD NESTER,

Respondent.

Case No. 4:13-cv-1050 SNLJ-NAB

ORDER

This matter is before the Court on the petitioner's motion requesting reassignment to Judge David D. Noce and motion for summary judgment (#17). I referred this matter to United States Magistrate Judge Nannette Baker for a report and recommendation on all dispositive matters pursuant to 28 U.S.C. § 636(b). On February 13, 2014, Judge Baker filed her recommendation that the petitioner's motions be denied (#18). The time for objecting to Judge Baker's report and recommendation has passed, and there have been no objections. The Court will construe petitioner's motion for summary judgment as a reply memorandum in support of his petition for habeas corpus.

Accordingly,

IT IS HEREBY ORDERED that Judge Baker's Report and Recommendation filed on February 13, 2014 is adopted and sustained in its entirety.

Dated this 24th day of April, 2014.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE